

UNITED STATES BANKRUPTCY COURT  
Eastern District of California

**Honorable Ronald H. Sargis**  
Bankruptcy Judge  
Sacramento, California

April 27, 2023 at 11:00 a.m.

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**FINAL RULINGS**

1. [23-20518-E-7](#)      **AMBER RANKINS**      **TRUSTEE'S MOTION TO DISMISS FOR**  
Pro Se      **FAILURE TO APPEAR AT SEC.**  
      **341(A) MEETING OF CREDITORS**  
      **3-20-23 [[20](#)]**

**Final Ruling: No appearance at the April 27, 2023 Hearing is required.**

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**Tentative Ruling:** Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter.

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Local Rule 9014-1(f)(1) Motion—No Opposition Filed.

Sufficient Notice Provided. The Proof of Service states that the Motion and supporting pleadings were served on Debtor (*pro se*) and Office of the United States Trustee on March 22, 2023. By the court's calculation, 36 days' notice was provided. 28 days' notice is required.

The Motion to Dismiss has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). Debtor (*pro se*) has not filed opposition. If the *pro se* Debtor appears at the hearing, the court shall consider the arguments presented and determine if further proceedings for this Motion are appropriate.

**The hearing on the Motion to Dismiss is continued to 11:00 a.m. on May 11, 2023. The Deadlines for parties to file actions under 11 U.S.C. §523, §707(b) and §727 are initially extended to and including June 12, 2023, and may be further extended by subsequent order of the court.**

The Chapter 7 Trustee, Nikki B. Farris (“Trustee”), seeks dismissal of the case on the grounds that Amber Marie Rankins (“Debtor”) did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341.

Alternatively, if Debtor’s case is not dismissed, Trustee requests that the deadline to object to Debtor’s discharge and the deadline to file motions for abuse, other than presumed abuse, be extended to sixty days after the date of Debtor’s next scheduled Meeting of Creditors, which is set for April 27, 2023 at 8:00 a.m. If Debtor fails to appear at the continued Meeting of Creditors, Trustee requests that the case be dismissed without further hearing.

The Debtor filed her Notice of Hearing and Opposition to the dismissal of this case. Dckt. 22. In the Opposition Debtor stated that she was unaware that she was “supposed to be at a court hearing,” and that she would “never intentionally not show up.”

The continued Meeting of Creditors is set for April 27, 2023, at 11:00 a.m., the same date and time as the hearing on this Motion to Dismiss.

The court continues the hearing on the Motion to Dismiss to 11:00 a.m. on May 11, 2023, to allow the Trustee to conduct the continued First Meeting of Creditor and consider whether the Trustee seeks dismissal of the case, whether the hearing needs to be further continued, and suggested dates for the extended deadlines for parties to file actions under 11 U.S.C. § 523, § 707, and § 727.

Any deadlines for the forgoing are initially extended through and including June 12, 2023.

The court shall issue an order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 7 case filed by The Chapter 7 Trustee, Nikki B. Farris (“Trustee”), having been presented to the court, Debtor Amber Rankins having filed her Opposition, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the hearing on the Motion to Dismiss is continued to 11:00 a.m. on May 11, 2023.

**IT IS FURTHER ORDERED** that the deadlines for parties to file actions under 11 U.S.C. §523, §707(b) and §727 are initially extended to and including June 12, 2023, and may be further extended by subsequent order of the court.

2. [22-21770-E-13](#)      RICHARAD PILA  
[23-2015](#)  
CAE-1

CONTINUED STATUS CONFERENCE RE:  
NOTICE OF REMOVAL  
1-27-23 [[1](#)]

**PILA V. PHH MORTGAGE  
CORPORATION ET AL  
ADVERSARY PROCEEDING  
DISMISSED: 4/10/23**

**Final Ruling: No appearance at the April 27, 2023 Status Conference is required.**  
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Plaintiff's Atty: unknown  
Defendant's Atty: Jared D. Bissell; Peter Yould

Adv. Filed: 1/27/23  
Answer: 2/3/23  
Nature of Action:  
Determination of removed claim or cause  
Recovery of money/property - other  
Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)  
Injunctive relief - other

Notes:  
Continued from 4/5/23

Stipulation dismissing adversary proceeding filed 4/10/23 [Dckt 29]

[RHS-1] Order Discharging Order to Show Cause filed 4/17/23 [Dckt 33]

**The Adversary Proceeding having been dismissed, the Status Conference is removed from the Calendar.**

**The Clerk of the Court may close the file for this Adversary Proceeding.**

3. [22-21770-E-13](#)      RICHARAD PILA  
[23-2015](#)  
RHS-1

CONTINUED ORDER TO SHOW CAUSE  
2-16-23 [[16](#)]

PILA V. PHH MORTGAGE  
CORPORATION ET AL  
ADVERSARY PROCEEDING  
DISMISSED: 4/10/23

Final Ruling: No appearance at the April 27, 2023 Hearing is required.  
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Pursuant to prior court order, Dckt. 33, the Order to Show Cause was  
discharged and this matter removed from the Calendar.